

U.S. DISTRICT COURT
FILED

JUL 27 2012

D.S.
S.D. OF N.Y.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

**BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,**

Debtor.

**IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,**

Plaintiff,

-against-

TREMONT GROUP HOLDINGS, INC., et al.,

Defendants.

Case No.

11-CV-07330 (GBD)

**NOTICE OF APPEAL
IN A CIVIL CASE**

JOINT NOTICE OF APPEAL

**TO THE DISTRICT COURT AND ALL PARTIES, INTERESTED
PERSONS, AND ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE that (1) Lakeview Investment, LP ("Lakeview"), (2)
Phoenix Lake Partners, L.P. ("Phoenix Lake"), (3) 2005 Tomchin Family Charitable
Trust ("Tomchin" and, together with Lakeview and Phoenix Lake, the "XL Fund
Appellants"), (4) Edward L. White, for himself and on behalf of White Trust dated
May 3, 2002 ("White"), and (5) Rigdon O. Dees, III ("Dees" and, together with
White, the "Prime Fund Appellants"), by filing this joint notice of appeal, hereby**

JOINT NOTICE OF APPEAL

1 appeal to the United States Court of Appeals for the Second Circuit from the
 2 Judgment of Dismissal entered as Docket No. 36 in 11-CV-07330 (GBD) on June
 3 28, 2012 (the "Final Judgment"), and from all interim orders and other matters
 4 embraced by, or otherwise pertaining to, the Final Judgment and adversely affecting
 5 any of their interests. Attached as Exhibit A hereto is a copy of the Final Judgment.

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 7 The XL Fund Appellants and the Prime Fund Appellants (collectively, the
 8 "Rye Appellants") file this joint notice appeal from the Final Judgment, and from all
 9 interim orders and other matters embraced by, or otherwise pertaining to, the Final
 10 Judgment and adversely affecting any right or interest of one or more of the Rye
 11 Appellants, including but not limited to the district court's Memorandum Decision
 12 and Order dated June 27, 2012 (*see* Docket No. 35), as Rye Appellants are entitled
 13 to do pursuant to Rule 4(a) of the Federal Rules of Appellate Procedure.

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 15 Dated: July 27, 2012

16 By: 

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23 Counsel for Lakeview Investment, LP,
 24 Phoenix Lake Partners, L.P., 2005 Tomchin
 25 Family Charitable Trust, Edward L. White,
 26 for himself and on behalf of White Trust
 27 Dated May 3, 2002, and Rigdon O. Dees, III
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